

UDOT Consultant Services

Appeals Process

Non-responsive Statements of Qualification or Disqualification

1. The Department reserves the right to refuse or disqualify a Statement of Qualifications (SOQ) for any of the following reasons. However, disqualification is not limited to this list.
2. Financial Screening Application is not received and approved by UDOT within the prescribed time as stated in the Request for Qualifications (RFQ).
3. Contains unauthorized information such as cost.
4. Consultant and/or Project Team member(s) has a Conflict of Interest. The Consultant and/or Project Team member(s) are considered to have a conflict of interest if the Consultant or Project Team member(s) have:
 - a. Previous involvement with the project that would bias the performance on the project or the outcome;
 - b. Financial or other interest in the outcome of the project;
 - c. Any agreement, enforceable promise, or guarantee to provide any future work on the project other than the contract with the Department.
 - d. Associations or professional or business relationships with anyone who has a financial interest in the outcome of the project, or does anyone with a financial interest in the outcome of these projects exercise any control over the Consultant.
5. Non-attendance to a mandatory meeting pre or post advertisement.
6. Uncompleted work under contract that the Department determines will hinder or prevent the prompt completion of additional work, if awarded.
7. Failure to comply with any qualification regulations.
8. Default or failure to perform under previous contracts.
9. Unsatisfactory performance on previous or current contract(s).
10. Debarment under previous contracts.
11. Serious misconduct that adversely affects the ability to perform future work.
12. Failure to reimburse for monies owed to the Department for overpayment on past projects based on an audit.

Notification to Consultant of Action

The Contract Administrator, Consultant Services Manager, and/or Project Manager notifies the Consultant in writing of the Department's intention or action; i.e., disqualification, contract decision, termination of contract, debarment, suspension, etc.

Appeal of Action

The process for appeal of disqualification, contract decision, termination of contract, debarment, suspension, etc., if it is not settled by mutual agreement, is outlined in Administrative Rule R907-1: Appeal of Department Actions.